

**MINUTES
REGULAR BOARD MEETING
Friday, August 28, 2015
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice-President
Terri Byers-Abston, D.C., Secretary
Rodney Casada, D.C., Member
Michael Seibert, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
M. Keith Poynter, Board General Counsel

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:05 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to approve the minutes of the June 5, 2015 board meeting.

ITEM II: FINANCIAL REPORTS

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to approve the financial reports for June and July 2015.

ITEM III: BOARD OFFICE REPORT

The Board reviewed the Board Office Report and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to respond to the Peer Review Committee that no disclaimer shall be placed on the PRC reports and the Board will meet yearly with the PRC. A second motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-1, with Dr. Abston opposed, to utilize a complaint committee to review all complaints prior to presentation to the entire Board. A final motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to have all Board members and the Executive Director to attend the Executive Director and Board Member training hosted by the Governor's Office on September 29, 2015, in Frankfort at the Old Capital Building.

ITEM IV: LEGISLATIVE AND REGULATORY CHANGES

The Board reviewed the current litigation and heard from Counsel regarding options for moving forward. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to file an amendment to 201 KAR 21:015 to redact the language in question.

ITEM V: ADMINISTRATIVE CASE 13-028

This case is continued pending the outcome of the licensee's appeal.

ITEM VI: ADMINISTRATIVE CASE 14-006

This case is continued with mediation set for October 28, 2015.

ITEM VII: ADMINISTRATIVE CASE 14-011

This case is pending receipt of information regarding criminal charges.

ITEM VIII: ADMINISTRATIVE CASE 14-020

This case is continued pending receipt of additional information.

ITEM IX: ADMINISTRATIVE CASE 14-027

This case is continued pending outcome of a criminal case.

ITEM X: ADMINISTRATIVE CASE 15-002

The Board reviewed all information and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to accept the terms of the settlement agreement and close the case. Dr. Hideg abstained.

ITEM XI: ADMINISTRATIVE CASE 15-003

The Board reviewed the proposed settlement agreement and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to offer the settlement agreement which if accepted shall close the case.

ITEM XII: ADMINISTRATIVE CASE 15-005

This case is continued.

ITEM XIII: ADMINISTRATIVE CASE 15-006

The Board reviewed the complaint and the licensee's response to the request for additional information. Violations were noted and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to offer an agreed order for settlement of this case.

ITEM XIV: ADMINISTRATIVE CASE 15-007

This case is continued.

ITEM XV: ADMINISTRATIVE CASE 15-008

The Board reviewed the licensee's continued non-response and the inability of the staff to get in touch with the licensee. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to file an administrative complaint.

ITEM XVI: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 11-009

This case is continued.

ITEM XVII: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 14-021

The Board reviewed the licensee's continued non-response and the inability of the staff to get in touch with the licensee. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to file an administrative complaint. Dr. Hideg abstained.

ITEM XVIII: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 13-KBCE-0150

The Board reviewed the investigative report and correspondence from the licensee regarding violation of his agreed order terms. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to accept the surrender of his license effective immediately. Dr. Hideg abstained.

ITEM XIX: ADMINISTRATIVE CASE 15-010
This case is continued.

ITEM XX: ADMINISTRATIVE CASE 15-011
This case is continued.

ITEM XXI: ADMINISTRATIVE CASE 15-012
This case is continued.

ITEM XXII: ADMINISTRATIVE CASE 15-013
This case is continued.

ITEM XXIII: ADMINISTRATIVE CASE 15-014
This case is continued.

ITEM XXIV: ADMINISTRATIVE CASE 15-015
The Board was notified of the licensee's non-response. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to send an agreed order for violation of 201 KAR 21:065 and require response to the complaint.

ITEM XXV: ADMINISTRATIVE CASE 15-016
Upon review of the complaint and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss the case.

ITEM XXVI: ADMINISTRATIVE CASE 15-017
Upon review of the complaint and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to offer an agreed order at the settlement terms discussed which if accepted shall close the case. Dr. Hideg abstained.

ITEM XXVII: ADMINISTRATIVE CASE 15-018
Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to continue with investigation to obtain additional information.

ITEM XXVIII: ADMINISTRATIVE CASE 15-019
Upon review of the complaint and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss this case and advise the licensee of the law in the dismissal letter.

ITEM XXIX: ADMINISTRATIVE CASE 15-020
Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXX: ADMINISTRATIVE CASE 15-021
The Board did not review information concerning this case at this time.

ITEM XXXI: ADMINISTRATIVE CASE 15-022
Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to continue with investigation.

ITEM XXXII: MALPRACTICE CASE 15M-002
The Board reviewed documentation and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXXIII: INITIAL LICENSE APPLICATION
RE: C. JENKINSON, D.C.
The Board reviewed the initial application and supporting documents from Dr. Jenkinson. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to issue Dr. Jenkinson's license.

ITEM XXXIV: INITIAL LICENSE APPLICATION
RE: P. MCCARTHY, D.C.
The Board reviewed the initial application and supporting documents from Dr. McCarthy. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to issue Dr. McCarthy's license.

ITEM XXXV: LICENSE ACTIVATION
RE: J. LAGREE, D.C.
The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to activate Dr. Lagree's license.

ITEM XXXVI: LICENSE ACTIVATION
RE: K. ALDRIDGE, D.C.
The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to activate Dr. Aldridge's license.

ITEM XXXVII: CONSIDER CORRESPONDENCE RE: DRY NEEDLING
The Board reviewed correspondence from licensees regarding the use of dry needling. Upon consideration of the information provided, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to inform the licensee that if dry needling is taught by an accredited chiropractic college and used as an adjunct to the adjustment for treatment of the subluxation, it can be used within the scope of chiropractic in Kentucky. The Board staff will also contact all chiropractic colleges requesting information concerning their stance on this technique for review at the next meeting.

ITEM XXXVIII: INFORMATION TO CONSIDER FROM KURT ADAMS, D.C.
The Board reviewed information from Dr. Adams and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to initiate a complaint against the licensee and review his response and the next meeting.

ITEM XXXIX: FIELD COORDINATOR REPORT
The Field Coordinator reported that he is continuing to do site visits and investigations as necessary.

ITEM XL: ADVERTISEMENTS TO REVIEW

The Board reviewed an advertisement which had been submitted to the Board. A motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to inform the licensee that the advertisement was within the law.

ITEM XLI: CONSIDER HARDSHIP REQUEST
RE: DONALD E. MILLER, D.C.

The Board reviewed correspondence from Dr. Donald E. Miller concerning hardship on 6 hours of his continuing education requirement. A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to deny his request.

ITEM XLII: CONSIDER REQUEST FROM AETNA

The Board reviewed correspondence from Aetna concerning reports of disciplinary action. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to notify Aetna that the Board will not be creating these additional reports, but all information will be available in the online database and meeting minutes which are available online.

ITEM XLIII: CONSIDER VIOLATION OF AGREED ORDER
RE: L. ANTHONY SEARS, D.C.

The Board reviewed information concerning the recent agreed order of Dr. Sears. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to file an administrative complaint. Dr. Casada abstained.

ITEM XLIV: LICENSE ACTIVATION
RE: B. JACKSON, D.C.

The Board reviewed the additional documentation which had been received. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to grant activation of Dr. Jackson's license once his guardianship is removed and official documentation is received at the board office.

ITEM XLV: SET FUTURE MEETING DATES

The Board set a meeting for January 22, 2016, and a Jurisprudence course for January 23, 2016.

ITEM XLVI: TRAVEL AND PER DIEM

A motion was made by Dr. Hideg, seconded by Dr. Abston and passed 5-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XLVII: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Hideg, seconded by Dr. Abston and passed 5-0, the meeting was adjourned.

Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.
Executive Director

Mark Woodward, D.C.
President